

DOCKET NO. HHD-CV20-6134528-S	:	SUPERIOR COURT
	:	
STATE OF CONNECTICUT,	:	J.D. OF HARTFORD
<i>EX REL</i> WILLIAM TONG,	:	
ATTORNEY GENERAL	:	
	:	
V.	:	AT HARTFORD
	:	
	:	
ARMANDO J. PEREZ	:	JANUARY 31, 2021

ANSWER & SPECIAL DEFENSES

The defendant, ARMANDO J. PEREZ, answers the complaint by filed by the plaintiff, State of Connecticut ex rel. William Tong, Attorney General (the "State"), as follows:

ANSWER

1. The defendant lacks sufficient information to admit or deny this paragraph and leaves the plaintiff to its proof.
2. The defendant lacks sufficient information to admit or deny this paragraph and leaves the plaintiff to its proof.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. The defendant lacks sufficient information to admit or deny this paragraph and leaves the plaintiff to its proof.

9. The defendant lacks sufficient information to admit or deny this paragraph and leaves the plaintiff to its proof.

SPECIAL DEFENSES

First Special Defense

1. In determining whether the pension shall be revoked or reduced, Conn. Gen. Stat. §1-110a(b)(2) requires the Court to consider “the amount of monetary loss suffered by the state, a municipality or a quasi-public agency or by any other person as a result of the crime related to state or municipal office.”

2. The defendant has already made restitution to the City of Bridgeport for the “loss suffered ... as a result of the crime....,” within the meaning of the statute.

Second Special Defense

1. The defendant’s pension benefits were vested and were accrued over at least 33 years of public service to the City of Bridgeport, before his appointments to Acting Chief of Police and then Chief of Police.

2. The pension benefits to be received were unconnected to the crime. The pension was not increased, funded by, or part of, the crime to which Mr. Perez pled guilty.

3. The defendant’s appointment to Acting Chief of Police, and, ultimately, the Chief of Police position, and his salary and benefits in those positions, did not affect his pension benefits calculation, or the monthly benefit amount that he is currently receiving.

WHEREFORE, upon consideration of all of the relevant facts and circumstances, including the statutory factors, the defendant requests that the Court determine that his pension should not be revoked or reduced.

Respectfully submitted,

DEFENDANT ARMANDO J. PEREZ

/s/ Robert M. Frost

Robert M. Frost, Jr.

FROST BUSSERT, LLC
350 Orange Street, Suite 100
New Haven, CT 06511
Juris No. 433115
Tel: (203) 495-9790
Fax: (203) 495-9795
Email: rmf@frostbussert.com

CERTIFICATION

I hereby certify that a copy of the foregoing pleading was or will immediately be mailed or delivered electronically on January 31, 2021 to the following counsel of record with consent:

Gregory O'Connell, Esq.
Assistant Attorney General
Office of the Attorney General
165 Capitol Ave.
Hartford, CT 06106
Gregory.O'Connell@ct.gov

/s/ Robert M. Frost, Jr.
Robert M. Frost, Jr. – JN 415741